



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Rene Gantier *et al.*
Serial No. : 10/658,834
Filed : September 08, 2003
Conf. No. : 7681
Title : ORALLY ADMINISTERED EFFECTIVE INTERFERON ALPHA
MUTANTS

Art Unit : 1647
Examiner : Stoica, Elly Gerald
Cust. No. : 77202

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

LETTER REGARDING PATENT TERM ADJUSTMENT AT ALLOWANCE
PURSUANT TO COMMENT 43 OF THE FINAL RULE

Dear Sir:

On the basis of good faith and candor, Applicant would like to bring the Office's attention to the Patent Term Adjustment (PTA) calculation included in the *Notice of Allowance and Determination of Patent Term Adjustment*, mailed July 9, 2009, for the above-referenced application, which indicates the PTA is 91 days. This PTA may be longer than appropriate.

Please review these PTA calculations with attention to the *Supplemental Response* filed December 1, 2006, after the *Response to Election* filed October 20, 2006, regarding Applicant delay days, along with the subsequent mailing of the *Non-Final Office Action* on April 4, 2007 for Office delay days.

Applicant believes that no fee is due at this time. Any fees that may be due, however, may be applied to Deposit Account No. 02-1818.

Respectfully submitted,


Stephanie Seidman
Reg. No. 33,779

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I hereby certify that this paper is being deposited with the United States Postal "Express Mail Post Office to Addressee" Service under 37 CFR §1.10 on the date indicated above and is addressed to: Mail Stop Issue Fee, Commissioner for Patents, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA, 22313-1450.


Stefanie Dost